

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2896

May 8, 2020

SUMMARY OF BILL: Classifies the offense of stealing a firearm from a law enforcement vehicle as a Class D felony.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$187,000/Incarceration*

Decrease Local Expenditures - \$5,800/FY20-21 and Subsequent Years

Assumptions:

- In 2018, there were 4,015 reported cases of firearm thefts from motor vehicles. It is unknown how many of those were from a law enforcement vehicle.
- It can be reasonably assumed that at least three (one from each Grand Division) are from law enforcement vehicles each year.
- The average time served for a Class D felony is 2.26 years, or 825.47 days, in state custody.
- The average operating cost per offender per day for calendar year 2020 is \$75.52.
- The proposed legislation will increase recurring state incarceration expenditures by an estimated \$187,018 ($\$75.52 \times 825.47 \text{ days} \times 3 \text{ offenders}$).
- This analysis assumes the average price of a firearm is less than \$1,000; therefore, pursuant to Tenn. Code Ann. § 39-14-105(a), theft of a firearm is a Class A misdemeanor under current law.
- Pursuant to Tenn. Code Ann. § 39-14-105(d), theft of a firearm shall be punished by confinement for not less than 30 days in addition to any other penalty authorized by law.
- The average cost to local governments to house an inmate in a local jail facility is \$64 per day.
- There will be a recurring mandatory decrease in local expenditures of \$5,760 ($\$64 \times 30 \text{ days} \times 3 \text{ offenders}$) in FY20-21 and subsequent years.
- This legislation will not result in a significant increase in the caseloads of the courts, District Attorneys General or the District Public Defenders. Any impact can be accommodated within their existing resources.

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid.

Krista Lee Carsner, Executive Director

/amj